



Marion County
Board of County Commissioners

Building Safety – Administration

2710 E. Silver Springs Blvd.
Ocala, FL 34470
Phone: 352-438-2400

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	9/13/2018
File #	

PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION

Company: Marion County Department of
Building Safety
Address: 2710 E. Silver Springs Blvd.
Ocala, FL 34470

DS 2018-070

Statute(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on which Declaratory Statement is sought:

DCA09-DEC-351, R301.2.1.1.1 Sunrooms. E3901.2 General purpose receptacle distribution.
E3901.2.1 Spacing. E3901.2.2 Wall space. 102.4 Referenced codes and standards. 102.4.1 Conflicts.

Background:

There is the need due to conflicts in a standard and the adopted code to address, under the current Florida Building Code (FBC), whether Declaratory statement DCA09-DEC-351, released sometime in April 2010 under the 2007 Florida Building Code, is still a valid statement based on several items. Since the Florida Building Code (2007) was adopted there has been three new editions released and superseded and we are now utilizing the 6th edition (while the 7th edition is under review), as such the provisions of Section R301.2.1.1.1 Sunrooms, and AAMA 2100 has changed accordingly.

Currently the FBC Section R301.2.1.1.1, Sunrooms, states:

“Sunrooms shall comply with AAMA/NPEA/NSA 2100. For the purpose of applying the criteria of AAMA/NPEA/NSA 2100 based on the intended use, sunrooms shall be identified as one of the following categories by the permit applicant, design professional or the property owner or owner’s agent in the construction documents. Component and cladding pressures shall be used for the design of elements that do not qualify as main windforce-resisting systems. Main windforce-resisting system pressures shall be used for the design of elements assigned to provide support and stability for the overall sunroom.”

AAMA/NPEA/NSA 2100 is a referenced standard, according to Chapter 46 of the FBC, as it represents the provisions of another document. The application of the referenced standards, according to Chapter 46, shall be as specified in Section 102.4. Therein lies part of the conflict with the standard and the adopted FBC Section 102.4, Referenced codes and standards, the codes and standards referenced in the code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.4.1 and 102.4.2.

Under Section 102.4.1, Conflicts, *“Where conflicts occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.”* Thereby the FBC supersedes the AAMA standard.

Under the current edition of the FBC Section E3901.2, General purpose receptacle distribution, requires that sun rooms be wired as with any other location specifically noted.

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“In every kitchen, family room, dining room, living room, parlor, library, den, sun room, bedroom, recreation room, or similar room or area of dwelling units, receptacle outlets shall be installed in accordance with the general provisions specified in Sections E3901.2.1 through E3901.2.3 (see Figure E3901.2).”

Furthermore under Section E3901.2.1 Spacing, specifically requires the sunrooms be provided with general purpose receptacle distribution as follows:

“Receptacles shall be installed so that no point measured horizontally along the floor line of any wall space is more than 6 feet (1829 mm), from a receptacle outlet. [210.52(A)(1)]”

And lastly Section E3901.2.2 specifically states for wall space requirements:

“As used in this section, a wall space shall include the following: [210.52(A)(2)]

- 1. Any space that is 2 feet (610 mm) or more in width, including space measured around corners, and that is unbroken along the floor line by doorways and similar openings, fireplaces, and fixed cabinets.*
- 2. The space occupied by fixed panels in exterior walls, excluding sliding panels.*
- 3. The space created by fixed room dividers such as railings and freestanding bar-type counters.”*

Marion County has had plan review and/or inspection issues with several contractors on permit numbers 2018020361, 031844, 050670, 051325, 051330, 062041, 060245 and 062267, where the county has required Cat III sunrooms to have general purpose receptacles installed in accordance with the FBC Residential Section listed above. Currently Marion County is inspecting SFR’s that are requesting the installation of Category III sun rooms, as noted by the permit numbers above, that are affected by this declaratory statement with regards to the wiring of those rooms. I have issued a “hold” on the implementation pending the outcome of the declaratory statement.

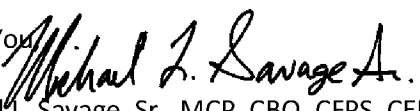
Question:

Due to the adopted provisions of the Florida Building Code, notably Sections 102.4, 102.4.1, and E3901.2, are sun rooms, namely Category III, required to comply with the receptacles spacing requirements specifically required under the FBC Residential code?

Summary:

The petitioner respectfully believes the answer to the question is yes. Due to the prescriptive requirements of the code as noted in E3901.2, E3901.2.1 and E3901.2.2, and the conflicts provision noted under Section 102.4.1, then it is clear sun rooms are required to meet the receptacles spacing requirements of the code.

If you have any questions, please contact me.

Thank You

Michael L. Savage, Sr., MCP, CBO, CFPS, CEI-M
Director – Building Official

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